



Journal of the House

State of Indiana

112th General Assembly

First Regular Session

Thirty-eighth Meeting Day

Monday Afternoon

March 26, 2001

The House convened at 1:00 p.m. with the Speaker in the Chair.

The invocation was offered by Father Patrick R. Click, Our Lady of Grace Church, Noblesville, the guest of Representative Sue W. Scholer.

The Pledge of Allegiance to the Flag was led by Representative Scholer.

The Speaker ordered the roll of the House to be called:

T. Adams	Hoffman
Aguilera	Kersey
Alderman	Klinker
Atterholt	Kromkowski
Avery	Kruse
Ayres	Kruzan •
Bardon	Kuzman
Bauer	Lawson
Becker	Leuck
Behning	Liggett
Bischoff	J. Lutz
Bodiker	Lytle
Bosma	Mahern
Bottorff	Mangus
C. Brown	Mannweiler
T. Brown •	McClain
Buck	Mellinger
Budak	Mock •
Buell	Moses
Burton	Munson
Cheney	Murphy
Cherry	Oxley
Cochran	Pelath
Cook	Pond
Crawford	Porter
Crooks	Richardson
Crosby •	Ripley
Day	Robertson
Denbo	Ruppel
Dickinson	Saunders
Dillon	Scholer
Dobis	M. Smith
Dumézich	V. Smith
Duncan	Steele
Dvorak	Stevenson
Espich	Stilwell
Foley	Sturtz
Frenz	Summers
Friend	Thompson
Frizzell	Tincher
Fry	Torr
GiaQuinta	Turner
Goeglein	Ulmer
Goodin	Weinzapfel
Grubb	Welch
Harris •	Whetstone
Hasler	Wolkins
Herndon	D. Young •
Herrell	Yount
Hinkle	Mr. Speaker

Roll Call 416: 94 present; 6 excused. The Speaker announced a quorum in attendance. [NOTE: • indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, March 27, 2001, at 1:00 p.m.

BARDON

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1361, 1479, 1608, and 1739 and the same are herewith returned to the House.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bill 1892 with amendments and the same is herewith returned to the House for concurrence.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 58 and 59 and the same are herewith returned to the House.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 54 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

RESOLUTIONS ON FIRST READING

House Resolution 50

Representatives Denbo, Frizzell, and Bosma introduced House Resolution 50:

A HOUSE RESOLUTION honoring World In Need, a not-for-profit organization, for its relief efforts in the country of El Salvador.

Whereas, Maria Mercedes Rivera Sol and Yesenia Lisette Landaverde Escobar from El Salvador are visiting Indianapolis in March 2001;

Whereas, These two ladies have come to tell the continuing story of the fear and hopelessness of the children of El Salvador;

Whereas, Three major earthquakes with more than 3,000 after shocks, struck the country of El Salvador on January 13th, February 13th and February 17th, 2001;

Whereas, World In Need says thank you to Central Indiana for their efforts in providing more than \$500,000 in relief supplies;

Whereas, World In Need is encouraging the community to continue with their efforts in providing these relief supplies;

Whereas, more than 1.3 million people were left homeless with more than 1,200 reported killed;

Whereas, The country is also left with no clean water source, no sewer facilities and limited medical supplies;

Whereas, World In Need has a goal to tell the story of El Salvador through local media and through opportunities to speak before business or community organizations, schools and local churches;

Whereas, World in Need is now in the process of filling their 3rd truckload of emergency supplies; and

Whereas, World In Need is asking people to "Pray that God will multiply the resources, and we can feed and clothe the poor. Pray that we will have the strength to keep on going, helping the people who feel so desperate. But more than anything, pray that we can reach these people with the message of hope, "Jesus loves you, and so do we." Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana:*

SECTION 1. That the House of Representatives of the Indiana General Assembly honors World In Need, a not-for-profit organization, for its relief efforts in the country of El Salvador.

SECTION 2. That the Principal Clerk of the Indiana House of Representatives transmit a copy of this resolution to Mr. Jeff Cardwell.

The resolution was read a first time and adopted by voice vote.

Senate Concurrent Resolution 54

The Speaker handed down Senate Concurrent Resolution 54, sponsored by Representatives Bardon and Atterholt:

A CONCURRENT RESOLUTION congratulating the Brebeuf Jesuit High School boys basketball team on its victory in the 2000 IHSAA Class 3A basketball championship.

Whereas, Indiana is filled with a deep and storied tradition of high school basketball;

Whereas, On March 25, 2000, Brebeuf Jesuit High School of Indianapolis wrote another thrilling chapter in the annals of high school basketball with the Braves' IHSAA Class 3A championship victory over Merrillville's Andrean High School at Conseco Fieldhouse by a score of 72-56;

Whereas, Indiana All-Star Michael Bennett led Brebeuf Jesuit with 26 points and nine rebounds, while fellow Senior and Trestor Mental Attitude Award nominee Jon Owens added 16 points and four rebounds;

Whereas, In exciting Hoosier Hysteria form, it took several heart-pounding games for Brebeuf Jesuit to reach the state finals, including difficult wins against Chataud in the Sectionals and Shelbyville in the Regionals, as well as a buzzer-beating, three-point, game-winning shot against Evansville Mater Dei by Jon Owens in the Semi-State;

Whereas, Guided by Braves' coach Leo Klemm, Brebeuf Jesuit finished its tremendous season with a stellar 24-2 record;

Whereas, In just his second season with the Braves, coach Klemm found championship success in teaching team members how to work together by performing their expected duties, playing in their roles, and suppressing their individual egos to focus on the team; and

Whereas, Brebeuf Jesuit's championship success is a direct reflection of its tenacious team effort and its vision to achieve excellence: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. The people of Indiana are extremely proud of the accomplishments of the Brebeuf Jesuit Braves boys basketball team, culminating in their victory in the 2000 IHSAA Class 3A state championship.

SECTION 2. The Secretary of the Senate is hereby directed to

transmit copies of the above resolution to Brebeuf Jesuit Coach Leo Klemm; Principal Linda Skafish; President Rev. Benjamin Hawley, SJ; Athletic Director Brian Brase; and players Matt Comparato, Blake Erdel, Jon Owens, Jarvis Joiner, Marques Bennett, Sonny Troutman, Michael Bennett, Evan Bedel, Ben Pitts, James Marten, and Kevin McCammack.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

ENGROSSED SENATE BILLS ON SECOND READING

The following bills were called down by their respective sponsors, were read a second time by title, and, there being no amendments, were ordered engrossed: Engrossed Senate Bills 49, 83, 126, 260, 280, 300, 441, 475, 543, and 574.

Engrossed Senate Bill 389

Representative Kromkowski called down Engrossed Senate Bill 389 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 389-3)

Mr. Speaker: I move that Engrossed Senate Bill 389 be amended to read as follows:

Page 1, between lines 7 and 8, begin a new line block indented and insert:

"(3) A city having a population of more than one hundred fifty thousand (150,000) but less than five hundred thousand (500,000)."

Page 2, line 6, after "1(2)" insert **"or 1(3)"**.

Page 3, line 5, after "1(2)" insert **"or 1(3)"**.

Page 3, line 7, after "1(2)" insert **"or 1(3)"**.

Page 3, line 10, after "1(2)" insert **"or 1(3)"**.

Page 3, between lines 39 and 40, begin a new paragraph and insert:

"(d) The commission in a city described in section 1(3) of this chapter may distribute money from the fund only for the following purposes:

(1) For road, interchange, and right-of-way improvements and for real property acquisition costs in furtherance of the road, interchange, and right-of-way improvements.

(2) For the demolition of commercial property and any related expenses incurred before or after the demolition of the commercial property."

Renumber all SECTIONS consecutively.

(Reference is to ESB 389 as printed March 22, 2001.)

GIA QUINTA

Motion prevailed.

HOUSE MOTION (Amendment 389-2)

Mr. Speaker: I move that Engrossed Senate Bill 389 be amended to read as follows:

Page 4, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 6. [EFFECTIVE JANUARY 1, 2000 (RETROACTIVE)](a)

This SECTION applies to an entity that:

(1) owns real property that:

(A) is located in a county having a population of more than two hundred thousand (200,000) but less than three hundred thousand (300,000);

(B) was first occupied in 1999; and

(C) is used for the administration of a hospital;

(2) is eligible to receive a property tax exemption under IC 6-1.1-10 for property taxes due and payable in 2001 on the property described in subdivision (1);

(3) was not eligible for a property tax exemption under IC 6-1.1-10 for property taxes due and payable in 2000 on the property described in subdivision (1) because the entity failed to timely file an exemption application under IC 6-1.1-11-3.5; and

(4) filed a form 133 petition to correct errors for property taxes due and payable in 2000 that was denied by the county property tax assessment board of appeals.
(b) Notwithstanding IC 6-1.1-11-3.5, the auditor of the county in which the property described in subsection (a)(1) is located shall
(1) waive noncompliance with the timely filing requirement for the exemption application in question; and
(2) make the appropriate exemption.
(c) A property tax exemption granted under this SECTION applies to property taxes first due and payable after December 31, 1999." .
Renumber all SECTIONS consecutively.
(Reference is to ESB 389 as printed March 22, 2001.)

KROMKOWSKI

Representative Whetstone rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. Representative Kromkowski withdrew the motion.

There being no further amendments, the bill was ordered engrossed.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1475.

GIA QUINTA

Roll Call 417: yeas 94, nays 0. Motion prevailed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Reassignments

The Speaker announced the following reassignments:

Engrossed Senate Bill 4 from the Committee on Rules and Legislative Procedures to the Committee on Roads and Transportation.

Engrossed Senate Bill 31 from the Committee on Commerce and Economic Development to the Committee on Ways and Means.

Engrossed Senate Bill 138 from the Committee on Rules and Legislative Procedures to the Committee on Courts and Criminal Code.

HOUSE MOTION

Mr. Speaker: I move that Representative Frenz be added as cosponsor of Engrossed Senate Bill 475.

KUZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Scholer be added as cosponsor of Engrossed Senate Bill 505.

PORTER

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Ulmer the House adjourned at 2:20 p.m., this twenty-sixth day of March, 2001, until Tuesday, March 27, 2001, at 1:00 p.m.

JOHN R. GREGG

Speaker of the House of Representatives

LEE ANN SMITH

Principal Clerk of the House of Representatives